Ongoing Law Enforcement Efforts Vigorously Target Those Exploiting Children

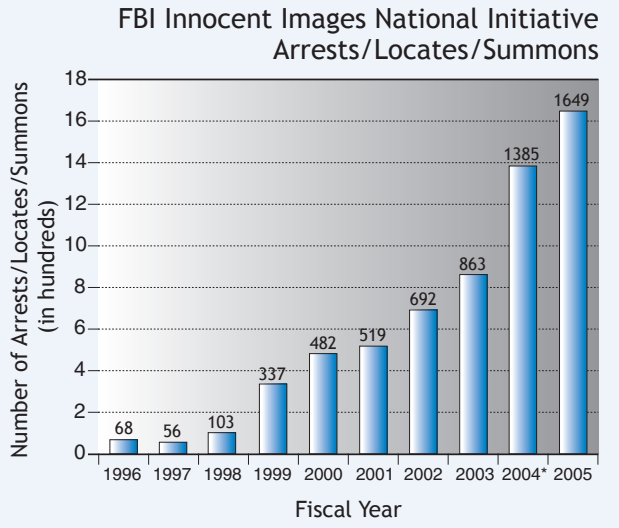
Increasingly, the Internet is used to facilitate the sexual exploitation of children through child pornography and enticement offenses. This activity is a growing threat to the safety of children in the United States and, indeed, throughout the world.

Agencies of the federal Government have made, and continue to make, a valiant effort to curb the escalation of child exploitation, particularly offenses involving the Internet. For example, the Department's Federal Bureau of Investigation (FBI) launched its Innocent Images National Initiative in 1995 to target child pornography and child enticement. Between 1996 and 2005, the number of cases investigated by the FBI rose by 2,026%, from 113 investigations opened per year to 2,402, with arrests under the program jumping by 2,325%, from 68 arrests per year to 1,649 as shown in the first graph on the right. Convictions resulting from those cases has also risen dramatically—from 68 in 1996 to 994 convictions in 2005, as the second graph demonstrates, which is an increase of 1,362%. In total, from 1996 to 2005, the FBI has opened 15,556 cases under the program, leading to a total of 6,154 arrests and 4,822 convictions.

Federal Bureau of Investigation
Innocent Images National Initiative

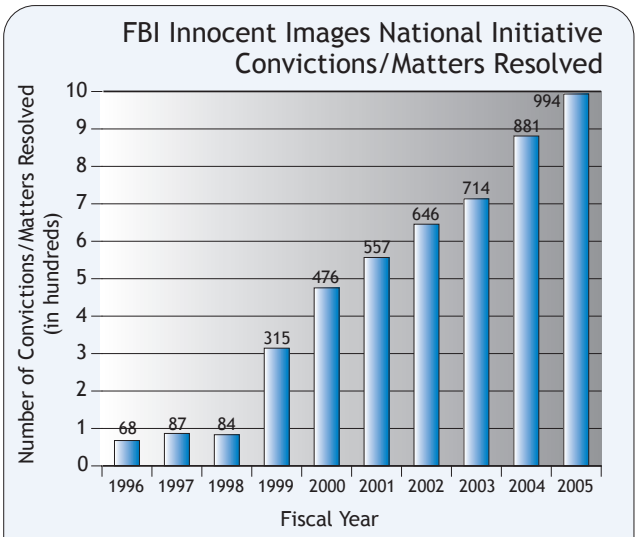
Fiscal Year	Cases Opened	Information/ Indictments	Arrests/Locates/ Summons	Convictions/ Matters Resolved
1996	113	99	68	68
1997	301	94	56	87
1998	698	112	103	84
1999	1,497	307	337	315
2000	1,541	421	482	476
2001	1,559	497	519	557
2002	2,370	648	692	646
2003	2,430	722	863	714
2004	2,645	938	1,385	881
2005	2,402	946	1,649	994
Totals	**15,556**	**4,784**	**6,154**	**4,822**

Source: FBI Innocent Images National Initiative Unit, November 7, 2005



* This figure includes an additional 105 Locates that some Divisions correctly went back and claimed after a new policy change in FY 2004.

Source: FBI Innocent Images National Initiative Unit, November 7, 2005



Source: FBI Innocent Images National Initiative Unit, November 7, 2005

The Innocent Images Unit has also launched several new initiatives in recent years, including, in conjunction with Criminal Division's Child Exploitation and Obscenity Section (CEOS), the Endangered Child Alert Program, which uses national and international media exposure on FBI web sites and on *America's Most Wanted: America Fights Back* to identify and track down unknown adults featured in child pornography.

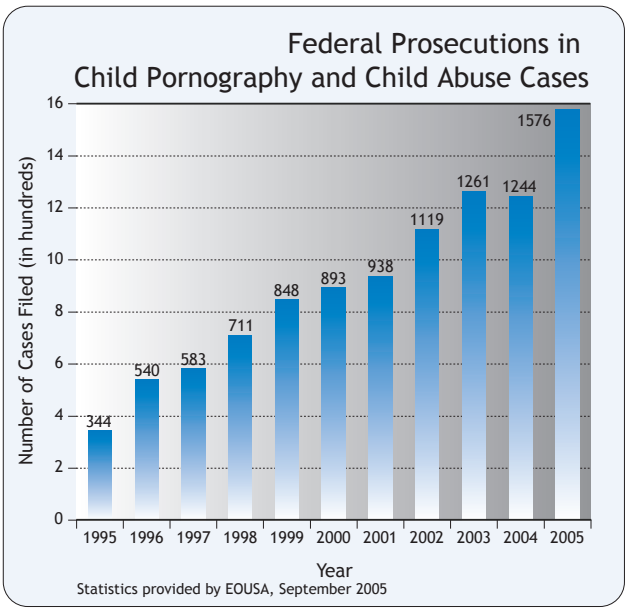
The Immigration and Customs Enforcement (ICE), the largest investigative arm of the United States Department of Homeland Security, also exercises jurisdiction over federal child exploitation crimes involving the Internet. ICE, through its Cyber Crime Center and its field offices, primarily targets transnational and transborder violations of the laws governing child exploitation. Investigations conducted by ICE as part of its highly successful Operation Predator, which was designed to protect young people from myriad child exploitation crimes, including child pornography, have resulted in thousands of arrests. One ICE case, investigated jointly with the United States Postal Inspection Service (USPIS) and the Internal Revenue Service Criminal Investigative Division, has resulted in the arrest of more than 1,200 child pornographers, of which at least 1,000 were foreign nationals arrested abroad.

Child exploitation crimes are also investigated by the USPIS, which focuses primarily on child exploitation cases with some connection to the U.S. mails. Since 1996, USPIS investigations, arrests, and convictions have risen substantially. From fiscal year 1997 to fiscal year 2005, USPIS's annual child exploitation cases increased by 161%, from 190 cases to 495. In the same time period, USPIS arrests increased 119% (from 156 to 342 per year) and convictions rose 74% (from 164 to 285 per year). In 1999, the USPIS worked in cooperation with CEOS, as well as the Dallas Internet Crimes Against Children (ICAC) task force, to dismantle a multi-million dollar child pornography enterprise conducting business over the Internet. Operation Avalanche resulted in over 7,000 searches and more than 4,000 arrests around the world.

The Department of Homeland Security's United States Secret Service was first mandated to provide forensic and technical assistance to the National Center for Missing and Exploited Children (NCMEC), and to state and local law enforcement authorities investigating crimes against children, in the Violent Crime Control and Law Enforcement Act of 1994. In 2003, under the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (PROTECT Act), that authority was enhanced, and, currently, at the request of any state and local law enforcement agency or NCMEC, the Secret Service provides forensic and investigative assistance in support of investigations involving missing and exploited children.

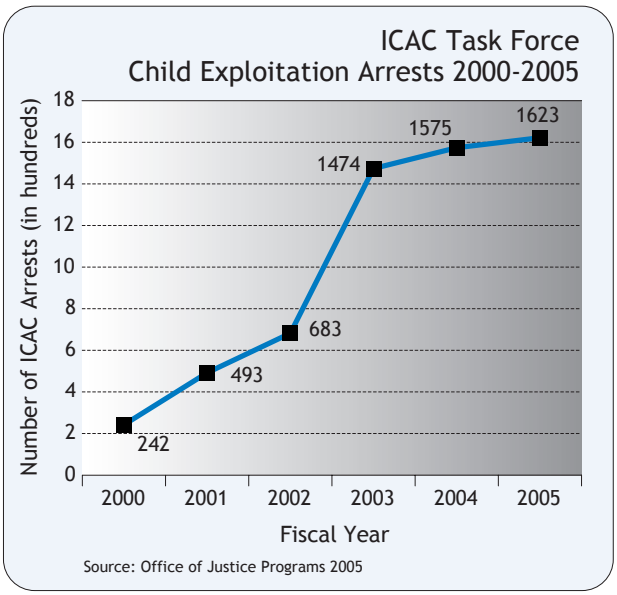
The Department's prosecutions of crimes against children, including child pornography crimes and enticement crimes, are also on the rise. The Criminal Division's CEOS has increased the number of cases and investigations it handles by more than 400% over three years. CEOS has also recently created a High Tech Investigative Unit in order to tackle the most complex and advanced offenses committed against children online. In fiscal year 2005, federal prosecutors in CEOS and in the U.S. Attorneys' offices charged a combined 1,447 child exploitation cases involving child pornography or enticement offenses against 1,503 defendants. And annual prosecutions of child pornography and child abuse cases have increased by more than 350% in the past decade, from 344 cases in fiscal year 1995 to 1,576 cases in fiscal year 2005 as the graph on the next page highlights.

A review of the achievements by federal investigators and prosecutors tells only a small part of the story of our nation's law enforcement efforts to battle the growing threat to children posed by the Internet. As part of the fiscal year 1998 Justice Appropriations Act (Pub. L. No. 105-119), the Office of Justice Programs' Office of Juvenile Justice and Delinquency Prevention (OJJDP)



was directed to create a national network of state and local law enforcement cyber units to investigate cases of Internet crimes against children. The result is the Internet Crimes Against Children (ICAC) task force program, a network of coordinated regional task forces engaged in helping state and local law enforcement agencies to develop an effective response to cyber-enticement and child pornography cases. This help consists of proactive investigations, forensic and investigative components, training and technical assistance, effective prosecutions, victim services, and community education. An ICAC task force is formed when a state or local law enforcement agency enters into a grant contract with OJJDP, and that entity then enters into Memoranda of Understanding with other federal, state, and local agencies. There are presently 46 ICAC task forces, with more than 1,000 affiliated organizations, as listed in Appendix D. Consistent with his commitment to protecting children, President Bush has sought and received increased funding for the ICAC program: it doubled between fiscal years 2002 and 2003, from $6.5 million to $12.5 million, and it has now risen to more than $14 million in fiscal year 2006.

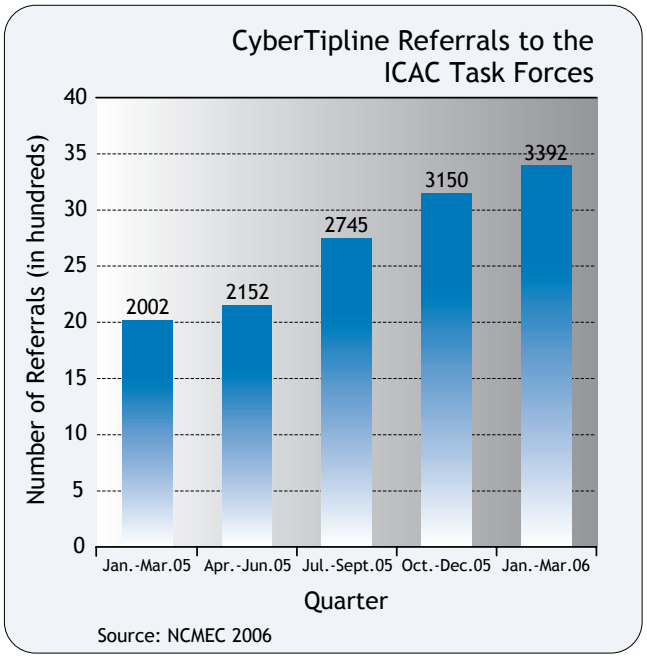
ICAC task forces have played a critical role in law enforcement's efforts to stop Internet criminal activity that poses harm to children. Investigations initiated by the ICAC task forces led to more than 1,600 arrests and over 6,000 forensic examinations in 2005. Since the beginning of the ICAC program, investigations have resulted in 7,328 arrests. The ICAC task forces' nation-



wide efforts have resulted in the prosecution of many cases; in the first six months of fiscal year 2005 alone, for example, the ICAC program reported that its investigations resulted in 4,947 state charges and 577 federal charges.

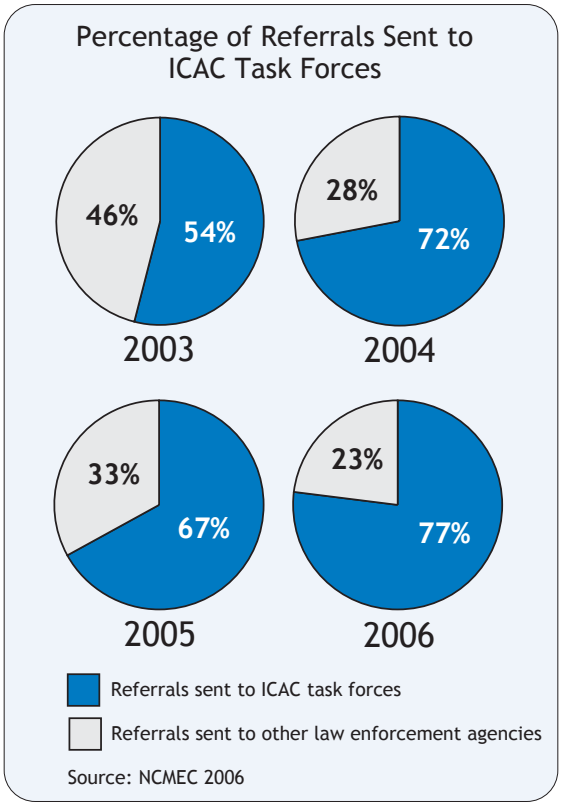
The centrality of the ICAC task forces in fighting child exploitation crimes is made clear by the fact that they are fully integrated into the CyberTipline report-referral system managed by NCMEC. NCMEC maintains the CyberTipline, a centralized place for anyone to report suspicious activity relating to child exploitation, with federal funding, and NCMEC processes and distributes the reports to the appropriate law enforcement entity. As the following graph illustrates, since the first quarter of 2005,

there has been a steady increase in the number of CyberTipline referrals to the ICAC task forces, culminating in a nearly 60% increase in the first quarter of 2006.



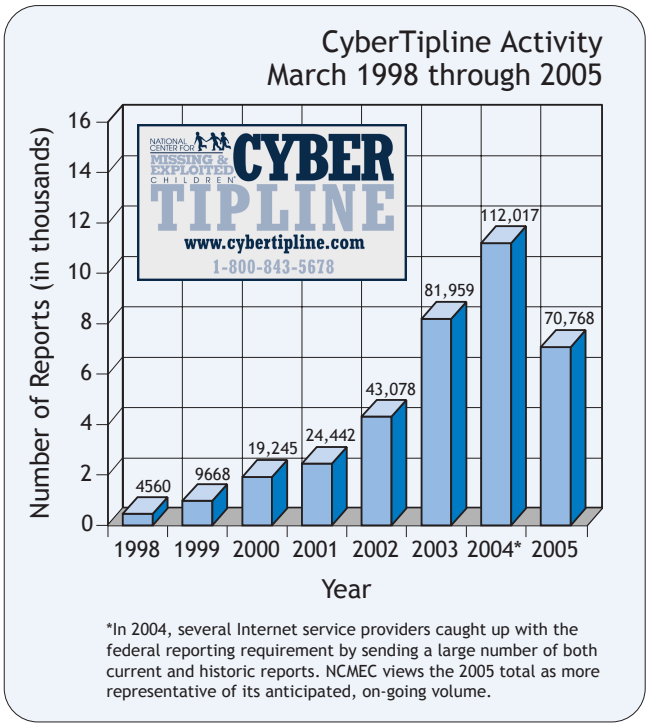
In fact, the ICAC task forces have been the leading recipient of the CyberTipline referrals, receiving nearly 36,000 tips bet-ween January 2003 and April 2006. The graph to the right shows that, of the total referrals sent to law enforcement agencies, the ICAC task forces received 71% of the CyberTipline referrals in 2005, and 84% of the CyberTipline referrals from January through April 2006.

In addition to the efforts by ICAC task forces, countless other state and local law enforcement agencies throughout the nation devote significant resources to investigating and prosecuting the exploitation of children through the Internet. Investigators and prosecutors around the country are actively engaged in finding perpetrators and bringing them to justice, while at the same time rescuing and counseling victims and educating parents and children about the dangers presented by the Internet.



Child Pornography and Sexual Solicitation of Children by Predators Continue to Proliferate Online

Despite all of this hard work undertaken by federal, state, and local law enforcement, the scope of these dangers facing our children is immense. The growth in the overall reported instances of child sexual exploitation has been tremendous since 1998, as reflected in the number of CyberTipline reports between 1998 and 2005 shown in the graph below. As noted, the figure for 2004 includes a large number of historical reports to NCMEC, which, according to NCMEC, makes it less representative of actual reports in a given year. But the size and the speed of the increases is staggering: from 1998 to 2005, the annual reports to the CyberTipline rose by 1,452%.



Two types of dangers to children are especially problematic. First, the threat of sexual predators contacting children online, with the hope of luring them to meet in person, has been amply demonstrated by academic studies as well as recent investigative journalism reports. A Youth Internet Safety Survey conducted between August 1999 and January 2000 found that approximately one in five children per year receives an unwanted sexual solicitation online.[1] One in thirty-three children per year receives an *aggressive* sexual solicitation—*i.e.*, one in which a solicitor asks to meet them somewhere, calls them on the telephone, or sends mail, money, or gifts.[2] And one in four per year has an unwanted exposure to sexually explicit material.[3] Meanwhile, only 25% of the youth who encountered a sexual solicitation told a parent.[4] Only a fraction of all episodes were reported to authorities, such as a law enforcement agency, an Internet service provider, or a hotline.[5] According to a recent media report, at any given time, 50,000 predators are on the Internet prowling for children.[6] These figures make clear that the threat of online enticement of children is immense.

Michelle Collins, Director of NCMEC's Exploited Child Unit (Center), gives a demonstration of NCMEC's CyberTipline to Attorney General Gonzales and his wife, Rebecca Turner Gonzales.

Second, the victimization of children through the production and distribution of child pornography is equally troubling, and on the rise. It was estimated, even in 2003, that more than 20,000 images of child pornogra-

[1] *See* Highlights of the Youth Internet Safety Survey conducted by the Crimes against Children Research Center at the University of New Hampshire, Office of Juvenile Justice and Delinquency Prevention (OJJDP) Fact Sheet (U.S. Department of Justice) (Mar. 2001), *available at http://unh.edu/ccrc/pdf/Highlightsfactsheet.pdf.*
[2] *See id.*
[3] *See id.*
[4] *See id.*
[5] *See id.*
[6] Chris Hansen, *Adults Prowling the Web to Meet Children Found Dateline Cameras Instead*, DATELINE NBC (Nov. 3, 2005).

phy are posted on the Internet each week.[7] NCMEC's CyberTipline logged a 39% increase in reports of the possession, creation, or distribution of child pornography in 2004. The gravity of these increases is more dramatically demonstrated by comparing the actual number of reports in 1998 to those logged in 2004, rather than merely reciting percentage increases. In 1998, the CyberTipline received 3,267 reports of child pornography. In 2004, the CyberTipline received 106,119 of these reports, marking more than a 30-fold increase in child pornography reports in a six year period. Judging simply by crime statistics, it is clear that the Internet is helping to fuel an epidemic of child pornography.

Not only is there an increase in the volume of pornographic images, there is also an escalation in the severity of the abuse depicted, with the images found today more frequently involving younger children—including toddlers and even infants—and despicable acts such as penetration of infants. And technology lends itself to the dissemination of more graphic images via the web, with its easy access, low cost, and apparent anonymity.

Experts agree that the escalation in both the prevalence and severity of child pornography is driven at least in part by advances in computer technology and increased access to the Internet. According to a recent study, 78.6% of Americans go online, and almost two-thirds of Americans use the Internet at home.[8] While it is impossible to determine exactly how many people are looking at child pornography, experts attribute the escalation in the quantity of child pornography being created and distributed to the growth of the Internet, and the concomitant ease with which child predators can now buy, sell, and swap images. The resulting sense of community among child predators is in turn helping to embolden those who may have had misgivings about a sexual interest in children, and it is thus driving a market for new images with fresh faces. Before the Internet, it was difficult and risky for child exploiters to go out

and find other child exploiters with whom to share images, which left the child pornography industry relegated to small black markets in underground bookstores or secret mailings. Today, the Internet has provided these pedophiles with an accessible, convenient, and anonymous means for interacting with their community and obtaining illicit material. The Internet has thus taken down borders that at one time served as a deterrent to child pornographers.[9]

[7] National Society for the Prevention of Cruelty to Children (Oct. 8, 2003), *reported at www.protectkids.com/dangers/stats.htm*.

[8] *See* Highlights of the 2005 Digital Future Report, USC Annenberg School Center for the Digital Future (2005), *available at http://www.digitalcenter.org/pdf/Center-for-the-Digital-Future-2005-Highlights.pdf*.

[9] *See* Casswell Bryan-Low, *Internet Transforms Child Porn in Lucrative Criminal Trade*, The Wall Street Journal (Jan. 17, 2006) ("Child-pornography Web sites draw 'people who had never dreamed of indulging in the fantasy' by giving them the perception of anonymity . . . .").

These Escalating Trends Present a Serious Risk to our Society

The harm caused by enticement offenses is beyond question. Sexual abuse is a serious crime that deeply affects any victim, especially children, and it has dramatic secondary effects on our society. The looming danger of our children being preyed upon by pedophiles in chat rooms or through social networking sites is, in short, among the gravest threats facing children today.

"When a child's life or innocence is taken, a grave and unforgivable act has occured. A parent's worst nightmare has become real."

President George W. Bush,
October 23, 2002

The impact of child pornography on victims, and on society as a whole, is far less appreciated today than the threat of enticement offenses. Child pornography images are not just pictures, akin to any number of other images legally available on the Internet. Most images of child pornography depict victims—children—who have been exploited and abused. These images are permanent visual records of child sexual abuse. For this reason, the very term commonly used to describe these terrible images—"child pornography"—does not adequately convey the horrors these images depict. A more accurate term would be "images of child sexual abuse," because the very production of the images necessarily involves the sexual abuse of a child. And the child is re-victimized each time they are viewed.

The nation should be alarmed at the fact that child pornography is being produced, possessed, and distributed in record numbers. According to a 2005 study entitled "Child-Pornography Possessors Arrested in Internet-Related Crimes: Findings from the *National Juvenile Online Victimization Study*," which studied defendants arrested and charged with possession of child pornography between July 2000 and June 2001:

- More than 80% of arrested [child pornography] possessors had images of prepubescent children, and 80% had images of minors being sexually penetrated. Approximately 1 in 5 (21%) arrested [child pornography] possessors had images of children enduring bondage, sadistic sex, and other sexual violence. More than 1 in 3 (39%) [child pornography] possessors had videos depicting child pornography with motion and sound.

- Although their identities are often unknown, many of the children in these graphic images were sexually victimized and assaulted. Those who possess these pictures—for sexual gratification, curiosity, as a means of profit, or for other reasons—are adding to the burdens of these young victims, whose trauma may be increased by knowing their pictures are circulating globally on the Internet with no hope of permanent removal or could be entered into circulation in the future.[10]

[10] J. Wolak, D. Finkelhor, & K. Mitchell, *Child-Pornography Possessors Arrested in Internet-Related Crimes: Finding from the National Juvenile Online Victimization Study*, at 27 (2005) (funded by NCMEC, Crimes Against Children Research Center, and OJJDP). According to the study, of the arrested possessors of child pornography examined, 83% had images of children between the ages of 6 and 12; 39% had images of 3 to 5 year olds; and 19% had images of toddlers or infants younger than 3. *Id.*, at 4. Offenders typically had pictures of both prepubescent children and adolescents, but 17% had pictures of children ages 12 and younger exclusively. *Id.*, at 5. The study reported that 92% had images of minors focusing on genitals or showing explicit sexual activity, and 80% had pictures showing the sexual penetration of a child, including oral sex. *Id.* In addition, 71% had images showing sexual contact between an adult and a minor, and one-fifth (21%) had child pornography depicting violence such as bondage, rape, or torture. *Id.*

Child pornography victimizes children in a very real and dramatic way. Of course, no child can consent to being sexually exploited through the production of sexually-explicit images. Each time the image is viewed or distributed, the child is again victimized. "[N]o mere words could ever truly describe the daily torture of victims who were forced to participate in child pornography years ago and now, as adults, see images of themselves 'performing' on the Internet."[11] In addition to the obvious physical injuries that a child can suffer due to sexual abuse, the emotional and psychological trauma is devastating, and lasting. Many child victims suffer from depression, withdrawal, anger, and other conditions that often continue into adulthood. They experience feelings of guilt and responsibility for the abuse, a sense of powerlessness and feelings of worthlessness.

"Let's be very clear: It is not a victimless crime. Most images today of child pornography depict actual sexual abuse of real children. Each image literally documents a crime scene."

Attorney General Alberto R. Gonzales,
April 20, 2006

Thus, for the sole fact of the victimization and damage that child pornography visits upon children, possession of child pornography is a heinous crime that must be stamped out. But that is only half of the story of the pernicious effect of child pornography. Possession of child pornography is a serious crime for four additional reasons,[12] each of which is described more fully below:

1. The exchange of child pornography by and between child exploiters validates and encourages them in their beliefs and behaviors;

2. The greater availability of child pornography has led to the production, receipt, and distribution of more shocking, graphic images, which are increasingly involving younger children and infants;

3. The compulsion to collect child pornography images may lead to a compulsion to molest children, or may be indicative of a propensity to molest children; and

4. Child pornography is frequently used by molesters as an affirmative tool, either to silence their victims, to blackmail them into further exploitation, or to entice other children.

Validation and Encouragement

Use of the Internet by child pornographers to exchange images and communications regarding those images provides positive reinforcement for them in their beliefs and behaviors, encouraging further exploitation of children. One study of offenders revealed that exploiters' relationships with other offenders, forged online, "legitimize[d] and normalize[d] their interests" in their own minds.[13] In short, the process of collecting and trading child pornography bonds the offenders together, and having an extensive child pornography collection heightens an offender's status within this community.[14] The incentives to abuse children, capture the abuse, and share

[11] Andrew Vachss, *Let's Fight this Terrible Crime against Our Children*, PARADE 4 (Feb. 19, 2006).
[12] *See generally* Max Taylor and Ethel Quayle, CHILD PORNOGRAPHY: AN INTERNET CRIME (2003) (providing a comprehensive study of the impact of the Internet on child pornography).
[13] Ethel Quayle and Max Taylor, *Model of Problematic Internet Use in People with a Sexual Interest in Children*, CYBERPSYCHOLOGY & BEHAVIOR 100 (2003).
[14] *Id.*

the images are strong, allowing the producer a way into the community and a means for obtaining yet more images of abuse from other producers or distributors. Child pornography is used as a means of establishing trust and camaraderie amongst child exploiters and molesters, as proof of good intentions when initiating contacts with one another.[15] It is, in part, for these reasons that offenders are frequently found with thousands of images.

In considering this factor, one can see the important role that the Internet has played in the growth of the child pornography market. Before the Internet, child exploiters were isolated. Without knowing that others like them existed, pedophilia or a sexual interest in children was a shameful secret. Through the Internet, however, persons who desire to exploit children get to know that others like them exist, they share their preferences and their child pornography, and they no longer feel abnormal. The child exploiter sees in the Internet a way of validating his behavior: he is able to convince himself that his behavior or obsession is not abnormal, but is in fact shared by thousands of other people who, in the predator's mind, are sensitive, intelligent, and caring people.[16]

More Shocking, Graphic Images

A more distressing trend is that, as pedophiles collect more and more images of child sexual abuse, they become de-sensitized to the horrors contained within their existing collections, and they seek gratification through novel and yet more disturbing images. The only way that this demand can be met is through a supply of new images involving more horrific images of hands-on sexual abuse than that already present in the person's collection of images. The result has been a rise in demand for pornographic images of younger children, including babies and toddlers.[17] Twenty percent of the images seized depicting sexual exploitation of children involved images of babies and two- and three-year-olds.[18] And, disturbingly, the abuse is getting worse, with the depictions being more sadistic than ever.

Increased Compulsion/Propensity to Molest Children

As an offender's interest in children draws him to the child pornography market, his compulsion to view and collect images may become entwined with, or lead to, a compulsion to molest children. A study conducted by Ethel Quayle and Max Taylor revealed that the subject's access to child pornography "intensified his levels of sexual arousal and behavior and fueled his desire to engage in a relationship with a child."[19] The subject progressed from viewing images, to entering chat rooms, to attempting to meet children offline.[20]

Several factors other than mere sexual perversion may cause the tendency of child-pornography collectors to begin to molest children. For instance, a collector's desire

[15] Taylor and Quayle, *supra* note 12, at 139; *see also Child Pornography and Pedophilia: Report Made by the Permanent Subcommittee on Investigations, U.S. Senate,* 99th Cong. 2d Sess. 10-12 (1986) [hereinafter *U.S. Senate Report*].

[16] Taylor and Quayle, *supra* note 12, at 25-26.

[17] *See* Gretchen Ruethling and Theo Emery, 27 *Charged in International Online Child Pornography Ring*, The New York Times (Mar. 16, 2006) (quoting Julie Meyers, Assistant Secretary at DHS and Director of ICE, who noted that there is a trend toward increasingly violent and graphic nature of images involving the molesting of younger children).

[18] J. Wolak, D. Finkelhor, & K. Mitchell, *supra* note 10, at 4; *see also www.protectkids.com/dangers/stats.htm.*

[19] Ethel Quayle and Max Taylor, *Child Seduction and Self Representation on the Internet*, CyberPsychology & Behavior 4(5), 597, 606 (2001).

[20] *Id.*

for novel and more graphic images could provide an incentive simply to produce the images himself, and computer technology today makes it easier to create the images and distribute them. In addition, collectors often feel that they have to produce new images because, in order to continue trading for new images, they have to offer up their own new images as part of the rules of some child pornography communities.

Empirical studies support the proposition that individuals who view child pornography are often also child molesters. According to a study completed in 2000 by Dr. Andres E. Hernandez, Director of the Sex Offender Treatment Program at the Butner Federal Correctional Complex in North Carolina, 79.6% of 54 offenders convicted of child pornography offenses admitted that they had molested significant numbers of children without detection. On average, the offenders had 26.37 child sex victims and admitted to over 1,424 contact sexual crimes. Of these 1,400+ contact sexual crimes, only 53 were detected or known about and taken into account at sentencing.[21]

Consistent with these studies, a 1986 Report of the U.S. Senate Permanent Subcommittee on Investigations on Child Pornography and Pedophilia stated:

> *No single characteristic of pedophilia is more pervasive than the obsession with child pornography. The fascination of pedophiles with child pornography and child abuse has been documented in many studies and has been established by hundreds of sexually explicit materials involving children.*

Although the U.S. Senate Subcommittee found no direct evidence of causality—*i.e.*, that possession of child pornography causes people to commit child sex offenses—it did conclude that child pornography plays a central role in child molestations, "serving to justify [the offender's] conduct, assist them in seducing their victims and provide a means to blackmail the children they have molested in order to prevent exposure."[22] In a 2005 study of child pornography possessors arrested in Internet-related crimes, the reviewers concluded that "one out of six [child pornography] possession cases beginning with an investigation of or allegation about [child pornography] possession discovered a dual offender who had also sexually victimized a child or attempted to do so."[23]

According to Raymond Smith, Assistant Inspector-in-Charge of the Special Investigations Division and the manager of USPIS's Child Exploitation Program, the USPIS began in 1997 compiling statistical information on the number of child pornography suspects arrested by U.S. Postal Inspectors that were also child molesters. Additionally, the USPIS began to collect data on the number of child victims identified and rescued from further sexual abuse as a result of investigations conducted by Postal Inspectors. Since 1997, 802 child molesters were identified and stopped, and 1,048 victimized children were rescued. According to Smith, of the more than 2,400 individuals arrested since 1997 for using the

[21] Andres E. Hernandez, Psy.D., *Self-Reported Contact Sexual Crimes of Federal Inmates Convicted of Child Pornography Offenses* (2000).

[22] *U.S. Senate Report*, *supra* note 14, at 44; *see also* Taylor and Quayle, *supra* note 12, at 75 (describing the function of images for pedophiles).

[23] J. Wolak, D. Finkelhor, & K. Mitchell, *supra* note 10, at 28. According to the study, "[t]his is a sizeable number, and the dual offenders who were apprehended likely would not have been caught otherwise, since most sex crimes against minors do not come to the attention of law enforcement." *Id.*, at 33-34 (citations omitted).

U.S. Mail and the Internet to sexually exploit children, child molesters were identified in one out of every three cases.

"[T]he Internet just feeds a vivious cycle. It makes child pornography more accessible and validates the pedophile's behavior in their minds, driving them to molest even more children and to make new and increasingly vulgar material."

Attorney General Alberto R. Gonzales,
April 20, 2006

Affirmative Tools of Molesters

Not only do images of child pornography record horrific abuse and victimization of children, but they often are also used as affirmative tools by the abusers. Abusers frequently use such pornography to lower another child's inhibitions with images that appear to show the victim enjoying the abuse or to validate sex between children and adults as normal.[24] Moreover, offenders use the images to blackmail the victim into silence or into performing further acts of abuse, threatening to release the images to parents, peers, or others if the victim talks or does not allow further exploitation. Such blackmailing even can be aimed at forcing kids into prostitution and the child trafficking trade.

Child pornography plays a central role in child molestations, serving to justify offenders' conduct, to assist them in gaining compliance from their victims, and to provide a means to blackmail the children they have molested in order to prevent exposure.[25] Consequently, child pornography does not simply involve abuse of the individual child victim whose image is created; it is also used affirmatively to perpetuate the sexual exploitation of the same child or other children.

Child and adult pornography is frequently used by child exploiters to lure children into physical sex acts. After a child molester befriends a child and gains the child's trust, he will expose the child to pornography to persuade the child that the behavior is normal and acceptable, and to coax him or her into participation.[26] The Sexually Exploited Child Unit of the Los Angeles Police Department conducted a ten year study and found that adult and child pornography was reportedly used in over 87% of all their child molestation cases.[27] Child pornography is therefore not just a tool for perpetuating more (and more graphic) child pornography—it is also a tool for exploiters to gain opportunities to exploit and molest even more children.

A Call to Arms

The measures taken to this point have not served to dramatically lessen the number of incidents of child exploitation. Indeed, all of the evidence leads to the conclusion that the exploitation of children is a burgeoning problem. The explosion in the

[24] Eva J. Klain, Heather J. Davies, and Molly A. Hicks, *Child Pornography: The Criminal-Justice-System Response*, at 6-7 (NCMEC) (Mar. 2001); Kenneth V. Lanning, *Child Molesters: A Behavioral Analysis*, at 70 (NCMEC) (Sept. 2001); Michael Medalies and Cathy Girouard, *OJJDP Juvenile Justice Bulletin*, "Protecting Children in Cyberspace: The ICAC Task Force Program," at 2 (Jan. 2002).

[25] Taylor and Quayle, *supra* note 12.

[26] *Id*. *See also* Testimony of Ernie Allen, NCMEC President, to the United States Senate Committee on the Judiciary (October 2, 2002) ("Child pornography then becomes a means by which the molester seduces and manipulates the child victim, breaks down the child's inhibitions by making sex between adults and children appear 'normal,' and gradually desensitizes the child to the reluctance or fear they logically feel upon viewing graphic depictions of sexual conduct.").

[27] *See* Long Island Citizens for Community Values, *Harms of Pornography, www.liccv.org/pornoisharmful.htm* (Dec. 20, 2005).

"It is not an exaggeration to say that we are in the midst of an epidemic in the production and trafficking of movies and images depicting the sexual abuse of children."

Attorney General Alberto R. Gonzales,
April 20, 2006

production and trafficking of child pornography, in particular, represents nothing short of an epidemic confronting our country. Although law enforcement efforts alone cannot solve this problem, investigative agencies and prosecutors must redouble their efforts and allocate resources to ensure an adequate response.

Attorney General Gonzales speaks to employees of NCMEC in Alexandria, Virginia on April 20, 2006.

Recently, on April 20, 2006, the Attorney General addressed the seriousness of these problems while visiting with NCMEC employees. The Attorney General spoke in explicit and graphic terms about the alarming number of sexual solicitations of minors and the vast scope and disturbing nature of the child pornography trade, as well as the troubling impact these threats are having on America's youth. Emphasing the need "to deliver a wake-up call" to America's law enforcement and to the American people, the Attorney General stated: "Now, more than ever, we need to educate the public on the realities of the dangers posed by child sexual predators, abusers, and pornographers." Reiterating President Bush's and his own dedication to protecting children, the Attorney General committed the Department to fight alongside all of its community partners in achieving this mission. And he called on all Americans to join the cause: "I am...calling on all responsible Americans and corporate citizens—down to every last parent, teacher, and minister—to educate themselves about the problem and see how they can help out. Together, we can make our homes and our neighborhoods safer for our sons and for our daugthers."

To be sure, there are great challenges to enforcing the laws against the exploitation of children when the Internet is involved. The perpetrator is frequently located in a different law enforcement jurisdiction from the victim, and, in many instances, the victim's identity is unknown. Given the nature of the Internet, investigations of the distribution of child pornography and sexual solicitation of children over the Internet almost always involve more than one law enforcement jurisdiction. Frequently, victim services must be provided to children who are not in the same judicial district as the prosecution. And the use of ever-changing technology to facilitate Internet child exploitation crimes adds to the complexity of enforcement: child pornographers are resorting to more complex and secretive ways to share files, making it critical that law enforcement effectively acquire and share new technology and methodologies.

In light of these challenges unique to cyber crimes facilitated through the Internet or other mass-distribution technological mediums, coordination of efforts to stop child exploitation is critical. Federal, state, local, and tribal resources must be pooled together more effectively to accomplish the common goal of combating the insidious problem of child exploitation and crimes against children. The needs of law enforcement suggest that strong leadership, better coordination, and both a greater and a more strategic commitment of resources will advance the cause of protecting our children from sexual abuse and exploitation facilitated by the Internet.